

Docket No.: 283278US26PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/561,017

Applicants: Junichi ARAMI

Filing Date: December 16, 2005

For: HEAT TREATMENT APPARATUS

Group Art Unit: 1763

Examiner: Matthew Thomas Eggerding

SIR:

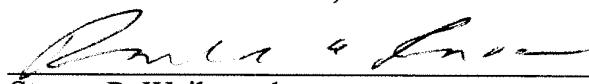
Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our credit card payment form in the amount of **\$0.00** is being made covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

Respectfully submitted,

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DOCKET NO: 283278US26PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
JUNICHI ARAMI : EXAMINER: MATTHEW THOMAS EGGERDING
SERIAL NO: 10/561,017 :
FILED: DECEMBER 16, 2005 : GROUP ART UNIT: 1763
FOR: HEAT TREATMENT APPARATUS :

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

In response to the Restriction Requirement dated June 1, 2007, Applicant elects with traverse Group I, corresponding to Claims 4-5 and 14-15. Applicant makes this election based on the understanding that Applicant is not prejudiced against filing one or more divisional applications that cover the non-elected claims.

Applicant respectfully traverses this Restriction Requirement for the following reasons:

The Office Action asserted that the inventions listed as Group I-III do not relate to a single general inventive concept under PCT Rule 13-1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

the mounting table of Group I can be used in any type of apparatus in which mounting is required, Group II includes a chamber, gas supply unit and vacuum pumping system not included in Group I, and Group III includes inner vessel not included in either of Groups I or II..

In this connection, Rule 13.1 PCT states that an international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept. Rule 13.2 PCT further specifies this concept by stating that Rule 13.1 is

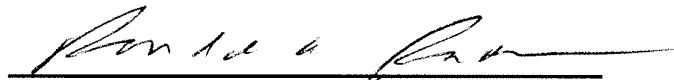
fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical feature" shall mean those features that define a contribution which each of the claimed inventions makes over the prior art.

Applicant believes that the process and the apparatus of the present invention are closely related enough to be examined as one invention for the following reasons: The inventions recited in independent Claims 4, 6 and 9 (although of different scope and coverage) share the same technical feature, i.e. "a heating unit having a reflector plate made of an opaque quartz, and a quartz tube welded to a surface of the reflector plate, wherein a carbon wire which generates heat when a current is applied thereto is inserted in the quartz tube." This feature defines a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

Accordingly, it is respectfully submitted that the restriction requirement be withdrawn and that a full examination on the merits of Claims 4-15 be conducted.

Respectfully submitted,

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